

EXHIBIT “A”

FILED 4/14/2023 12:23 PM CLERK OF SUPERIOR COURT DEKALB COUNTY GEORGIA

**IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA**

GWENDOLYN WHITE

23CV3881

**Plaintiff,
VS.**

CIVIL ACTION NO. _____

DOLLAR TREE STORE INC.,

COMPLAINT SERVED WITH INTERROGATORRIES

Defendant.

**COMPLAINT
(Jury Trial Requested)**

Plaintiff, Gwendolyn White, and by and through here attorney, Latanya McPherson, and The McPherson Law Firm LLC. And demands damages from the Defendant, Dollar Tree Store Inc., and in support thereof states as follows in support of this lawsuit:

PARTIES

1. The Plaintiff, Gwendolyn White is an adult resident citizen of the State of Georgia and a resident of Henry County.
2. The Defendant, Dollar Tree Store Inc. hereinafter referred to as "Dollar Tree" is foreign corporation doing business in the State of Georgia, with its principal place of business being located at 500 Volvo Parkway Chesapeake Virginia, 23320, who owned managed the premises known as Dollar Tree Store Inc. in Dekalb County, and may be served with process, by serving its registered agent, The Corporation Service Company located at 2 Sun Court Suite 400 Peachtree Corners Georgia 30092.

JURISDICTION AND VENUE

3. The Court has jurisdiction over the subject matter.
4. The Court has personal jurisdiction over all the defendants by virtue of their transacting, doing business and soliciting business in this State of Georgia and because a substantial part of the relevant events took place in Dekalb County.

FACTUAL-ALLEGATIONS

5. On or about April 14, 2021, the Plaintiff went to Dollar Tree located at 2050 Lawrenceville Highway Decatur, Georgia 30033, where she went to shop. The Plaintiff was shopping at all times relevant were owned, operated and managed by Dollar Tree. As, the Plaintiff was shopping in the store, a Dollar Tree employee pushed a U-boat cart directly into her back causing her to fall into store racks and suffer severe injuries fully described below.
6. Prior to the U-boat being pushed into her back, Defendant should have known that the customer was in the aisle.
7. Solely, as a result of the failure of the Defendant to properly clear the aisle, Plaintiff sustained serious and severe injuries to her person, including her back.
8. Solely as a result of the injuries aforementioned, the Plaintiff has incurred damages, including medical expenses, she has, may and probably will for an indefinite time in the future suffer great pain, inconvenience embarrassment and mental anguish; she has , may and probably will for an indefinite time in the future be deprived of ordinary pleasures of life loss of well-being and equanimity and her overall health, strength and vitality have been greatly impaired..

FIRST CLAIM FOR RELIEF

(Negligence against all Defendants)

9. Plaintiff incorporates by reference all the allegations of paragraphs 1 through 8, inclusive of this complaint as though set forth herein in full.

10. On or about April 14, 2021, Plaintiff visited the Dollar Tree operated by Defendant, The Dollar Tree Store located at 2050 Lawrenceville Hwy, Dekalb Georgia 30033 to purchase some products.

11. While at the Dollar Store on or about April 14, 2021, the , Plaintiff was injured when a Dollar Tree employee pushed a U-boat directly into her back causing them to suffer severe back injuries resulting in damages including medical expenses, lost wages, pain and suffering, and physical injuries.

12. Defendant, Dollar Tree had a duty to maintain and operate their store location in such as a manner as to avoid causing injury to another person. They failed to do so.

13. Due to the failure of Defendant, Dollar Tree to maintain and operate their store location in such as a manner as to avoid causing injury to another person, Plaintiff suffered injuries.

14. But for the negligence of Defendant, Dollar Tree, Plaintiff would not have suffered injuries.

15. The negligence of Defendant, Dollar Tree was a proximate cause of the injuries suffered by Plaintiff.

16. As a direct and proximate result of the negligence of Defendant, Dollar Tree Plaintiff has been damaged in the sum of \$500,000.00

SECOND CLAIM FOR RELIEF

(Premises Liability against all Defendants)

Plaintiff incorporates by reference all the allegations of paragraphs 1 through 16, inclusive of this complaint as though set forth herein in full.

18. At all times mentioned in this complaint, Defendant, Dollar Tree operated the Dollar Tree Store Inc. located at 2050 Lawrenceville Hwy Decatur, Georgia 30033. Defendant, Dollar Tree invited the general public, including Plaintiff, to enter the premises of the Dollar Tree Store and to purchase various products and other services from Defendant, Dollar Tree.

19. While at the Dollar Tree on or about April 14, 2021, Plaintiff was injured when a Dollar Tree employee pushed a U-boat directly into the back of the Plaintiff, causing her to suffer severe injuries to her back.

20. Defendant, Dollar Tree, as the operators of the store located at 2050 Lawrenceville Hwy, Decatur Georgia 30033, negligently:

- a. Failed to maintain the aisle in a reasonably and safe condition.
- b. The Dollar Tree store employee pushed the U-boat directly into the Plaintiff's back without clearing the aisle of customers, when defendant knew, or in the exercise of reasonable care should have known, that pushing the U-boat down the aisle with customers created an unreasonable risk of harm to customers and visitors coming to the Dollar Tree store.
- c. Failed to warn plaintiff of the danger presented by the U-boat and
- d. Failed to otherwise exercise due care with respect to the matters alleged in this complaint.

21. As a direct and proximate result of the negligence of Defendant. As a direct and proximate result of the negligence of Defendant, Dollar Tree, on or about April 14, 2021,

Plaintiff was injured when the Dollar Tree employee pushed the U-boat directly into her back causing her to suffer serve injuries to her back resulting in damages including medical expenses, lost wages, pain and suffering, and physical injuries.

PRAYER FOR RELIEF

THEREFORE, Plaintiff prays for judgment against Defendants and each of them as follows:

FIRST CLAIM FOR RELIEF:

1. For general damages in the amount of \$500,000.00;
2. For special damages for medical and related expenses in the amount of \$40,000.00;
3. For interest on said damages from April 14, 2021, at 10% per annum from and after April 14, 2021;
4. Costs of suit herein incurred; and
5. Such other and further relief as the court may deem just and proper.

SECOND CLAIM FOR RELIEF:

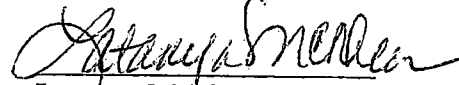
1. For general damages in the amount of \$500,000.00;
2. For special damages for medical and related expenses in the amount of \$40,000.00;
3. For interest on said damages from April 14, 2021, at 10% per annum from and after April 14, 2021;
4. Costs of suit herein incurred; and

5. Such other and further relief as the court may deem just and proper

This 13, day of April 2023.

Respectfully submitted,

THE MCPHERSON LAW FIRM LLC.



Latanya McPherson
Georgia Bar No. 498904
Attorney for the Plaintiff

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Jonesboro, Georgia 30236
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**IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA**

GWENDOLYN WHITE

Plaintiff,

-against-

DOLLAR TREE STORE INC.

Defendant.

Civil Action No. 23CV3881

SUMMONS

TO THE ABOVE NAMED DEFENDANT(S):

You are hereby summoned and required to file electronically with the Clerk of said court at <https://efiega.tylerhost.net/ofswb> and serve upon the Plaintiff's attorney, whose name and address and email is:

**Latanya McPherson Esq.
The McPherson Law Firm LLC.
238 Stockbridge Rd Ste-216-A
Jonesboro, Georgia 30236.**

An answer to this complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint

This 3^d, day of July 2023.

By

Latanya McPherson
Attorney for Plaintiff

SHERIFF'S ENTRY OF SERVICE

Civil Action No. 23CV3881Superior Court ☐Magistrate Court ☐State Court ☐Probate Court ☐Juvenile Court ☐Date Filed APRIL 14, 2023Georgia, DEKALB COUNTY

Attorney's Address

238 STOCKBRIDGE RDSTE 216-AJONESBORO, GEORGIA 30236

Name and Address of Party to Served

CORPORATION SERVICE COMPANY2 SUN COURT STE. 400 PEACHTREECORNERS, GEORGIA 30092GWENDOLYN WHITE

Plaintiff

VS.

DOLLAR TREE STORE INC.

Defendant

Garnishee

SHERIFF'S ENTRY OF SERVICE

PERSONAL

I have this day served the defendant _____ personally with a copy
☐ of the within action and summons.

NOTORIOUS

I have this day served the defendant _____ by leaving a
copy of the action and summons at his most notorious place abode in this County.☐ Delivered same into hands of _____ described as follows:
age, about _____ years; weight _____ pounds; height _____ feet and _____ inches, domiciled at the residence of
defendant.

CORPORATION

Served the defendant Dollar Tree Store Inc. a corporation☒ by leaving a copy of the within action and summons with ALINA S. HARRIS
In charge of the office and place of doing business of said Corporation in this County.

TACK & MAIL

I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises
designated in said affidavit and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an☐ envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice
to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

Diligent search made and defendant _____

☐ not to be found in the jurisdiction of this Court.This 14 day of April, 2023.

DEPUTY

CLERK'S COPY